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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/626,760	07/21/2003	Rajiv V. Joshi	909A.0128.U1(US)	1720
29683	7590	10/01/2004	EXAMINER	
HARRINGTON & SMITH, LLP 4 RESEARCH DRIVE SHELTON, CT 06484-6212			NGUYEN, THINH T	
			ART UNIT	PAPER NUMBER
			2818	

DATE MAILED: 10/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED OFFICE ACTION

Election/Restrictions

Claims 1- 18 are pending in this application.

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

Group I. Claims 1-8, drawn to a semiconductor device, classified in class 257, subclass 903.

Group II. Claims 9-18, drawn to process of making a semiconductor device, classified in class 438, and subclass 184.

2. The inventions are distinct, each from the other because of the following reasons:


Inventions II and I are related as process of making and product made. The inventions are distinct if either or both of following can be shown: (1) that the process as claimed can be use to make other and materially different product or by hand, or (2) that process as claimed can be made by another and materially different process. (MPEP § 806.05(f)). In the instance case unpatentabilities of the group I invention would not necessarily imply unpatentability of the group II invention, since the device of the group I invention could be made by the processes materially different from those of the group II invention, for example, in the claim 9 a method for making the device of claim 1 wherein this method can be use to fabricate a permanent conductive channel which is materially different device from claim 1 a controlled channel for field effect transistor.

3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, the fields of search are not co-extensive. Therefore, separate examination would be required and restriction for examination purposes as indicated is proper.

4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a diligently filed petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(h).

5. Any inquiry concerning this communication on earlier communications from the examiner should be directed to Thinh T Nguyen whose telephone number is 571-272-1790. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:00 PM. The examiner's supervisor, David Nelms can be reached on 571-272-1787. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Thinh T Nguyen 
Art Unit 2818


David Nelms
Supervisory Patent Examiner
Technology Center 2800